

**STATE OF NORTH DAKOTA**  
**BEFORE THE INSURANCE COMMISSIONER**

<b>In the Matter of</b>	)	
	)	
<b>Bradley D. Sunderland,</b>	)	<b>CONSENT ORDER</b>
<b>NPN 656999,</b>	)	
<b>DOB 3/8/1968,</b>	)	<b>CASE NO. AG-09-255</b>
	)	
<b>Respondent.</b>	)	

North Dakota Insurance Commissioner Adam Hamm (hereinafter "Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Bradley D. Sunderland, NPN 656999, DOB 3/8/1968 ("Respondent"), the Commissioner has considered scheduling a formal hearing to determine whether Respondent's conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary.

2. Respondent's conduct is alleged to be in violation of the following state law relating to the regulation of insurance producers:

**26.1-26-45.1. Reporting of actions.**

1. An insurance producer shall report to the commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.

3. N.D.C.C. § 26.1-26-15 states:

An applicant for any license under this chapter must be deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

4. N.D.C.C. § 26.1-26-42 states, in part:

The Commissioner may suspend, revoke, place on probation, or refuse to continue or refuse to issue any license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:

...

6. In the conduct of affairs under the license, the licensee has used fraudulent, coercive, or dishonest practices, or has shown oneself to be incompetent, untrustworthy, or financially irresponsible.

...

5. Respondent has held a North Dakota resident insurance producer license since December 7, 1987. Respondent is subject to the jurisdiction and control of the Commissioner.

6. The Respondent also holds an insurance producer license in other states. On September 21, 2009, the Department received notice from another state insurance regulator that the Wisconsin and Delaware state insurance regulators had taken action against the Respondent's insurance producer license. Respondent never reported these administrative actions to the Department and the Department was unaware of them until that point.

7. On May 22, 2008, Respondent entered into a stipulation with the Wisconsin Office of the Commissioner of Insurance by which he agreed to pay a fine of

\$1,500 in settlement of an allegation that Respondent had signed documents where his signature was a representation that he was physically present and witnessed the signature of another person when he was not actually physically present.

8. On June 2, 2009, the Delaware Insurance Commissioner entered an order by which Respondent was fined \$200 for failing to report the Wisconsin administrative action.

9. By his actions of failing to report the administrative actions taken by other state insurance regulators, Respondent violated the requirements of N.D.C.C. §§ 26.1-26-45.1(1).

10. The failure to report all administrative actions and to provide the orders, consent orders, or other relevant legal documents was a violation of law. Respondent's failure to comply with this reporting law reflects on his competence, trustworthiness, responsibility, and his personal and business reputation. Respondent's license could be revoked because of his failure to timely report the administrative actions. N.D.C.C. §§ 26.1-26-42 and 26.1-26-45.1.

11. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(6) and 26.1-26-45.1 and are grounds for revocation of Respondent's insurance agent license.

12. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had been advised of his rights to a hearing in this matter, to consult an attorney, to present argument to the Commissioner, to appeal from any adverse determination after a hearing, and Respondent expressly waives those rights.

13. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D.C.C. § 28-32-22.

14. For purposes of resolving this matter, without further administrative proceedings, Bradley D. Sunderland and the Commissioner have agreed to enter into the following order.

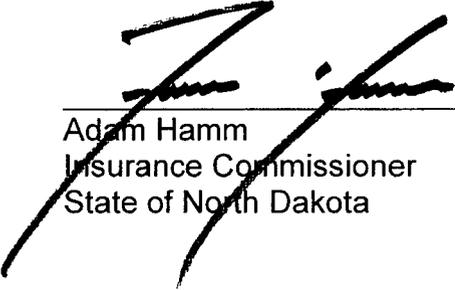
NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent shall pay a fine of \$500 to the Department. Respondent shall pay the fine within 30 days of his signing of this document.

2. Respondent shall report to the Commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within 30 days of the final disposition of the matter and must include a copy of the order, consent to order, or other relevant legal documents. If Respondent fails to do so, the Commissioner may revoke, suspend, or take such further action as may be deemed necessary against Respondent's license without notice of hearing or issuance of a complaint.

3. The use of this Consent Order for competitive purposes by an insurance agent or agency holding a license in the State of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

DATED at Bismarck, North Dakota, this 28<sup>th</sup> day of October, 2009.

  
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Adam Hamm  
Insurance Commissioner  
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Bradley D. Sunderland**, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has been advised of his right to a hearing in this matter, his right to be represented by legal counsel, his right to present evidence and arguments to the Commissioner, and his right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives those rights in their entirety, and consents to entry of this Order by the Commissioner. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties hereto, there being no other promises or agreements, either expressed or implied.

DATED this 26<sup>th</sup> day of October, 2009.

  
Bradley D. Sunderland

State of North Dakota  
County of Cass

Subscribed and sworn to before me  
this 26<sup>th</sup> day of October, 2009.

  
Notary Public

My commission expires:

